

HMCTS London Magistrates' Courts Update: Defence Practitioners – Covid 19 (April 2020)

Videolink overnight courts to go-live across London by 5 May 2020

Last month I issued a briefing to you acknowledging issues relating to social distancing and practices in London magistrates' courts, together with an outline of steps we were taking in HMCTS to support the health and safety of all at this incredibly challenging time. I copy that update below and hope this further update provides you with good news of significant progress made in what has been a very short time period.

Working on the frontline of delivering justice has been challenging for all involved and there have been difficulties at times as the agencies collectively adjust ways of working to provide safe approaches in these unprecedented issues. Throughout, I think it clear that the dedication to justice shown by all has been inspiring. I hope this update helps to make this easier for all participants going forward.

- Just four weeks ago we introduced trials at Croydon for the overnight custody hearings using new technology. These tests extended to Bromley. CPS prosecutors, probation, youth offending and defence have all linked to hearings remotely using the new videolink service. Importantly, defendants at police stations have been able to appear in the test courts without the need for transportation in increasing numbers of cases. The tests were necessarily limited to ensure proper and reliable technology and working practices.
- HMCTS has fully re-trained and resourced new roles to support the hosting of these videolink overnight courts in the test centres and planned for a widespread roll-out across the capital. With an incredible amount of hard work, I am pleased to confirm that we are now ready to extend the tests to all police stations and all magistrates courts across London. The roll out schedule is very aggressive. Sensibly, no one would introduce a significant change project like this into the complex magistrates' courts justice system at this pace. More testing, learning and development is required – but we do not want to wait. For very obvious reasons, time is of the essence. We would have liked to have delivered this project in under four weeks - we tried – but we have pushed the programme timelines to the limit. This introduction is necessary and hugely important and I am very pleased to announce this. However, we introduce this with some trepidation. As a justice service under very challenging times, we feel it important to task some informed risks. The introduction across London will probably be imperfect. We will find teething troubles and glitches. We will learn on the job. In the circumstances, I feel we have no better option – because doing what we can to improve and ensure safe distancing between you and your clients and all is too important. We cannot miss this opportunity.
- **London courts will go-live with police to court videolink as follows:**
 - Croydon and Bromley – live since late March – Croydon police station added 23/4/20
 - Wimbledon, Willesden – live 23/4/20

- Uxbridge – 28/4/20
- Highbury – 30/4/20
- Barkingside, Westminster – 5/5/20
- Thames – 6/5/20
- Details of how defence practitioners access the scheme have been shared for the first courts and will be shared with you for all remaining courts over the coming days. In simple terms, a new dedicated email inbox is provided to receive defence and other parties requests to join the hearing and/or contact their clients remotely. An HMCTS ‘host’ will liaise with parties via email and/or phone to make arrangements. Practitioners can access the hearing from home or office. Good quality digital connections are important to ensuring uninterrupted presence in the hearings. An information leaflet is circulated with this update giving further details.
- Alongside this, a new scheme is being introduced for defence practitioners to hold conferences with their clients in court cells by mobile phone. HMPPS colleagues are providing special phones to custody suites to enable defence to book a 15 minute conference. Supply chain issues are a known global issue presently but the phones are expected imminently and details of the scheme and how to access conferences will be circulated with the start date very soon. The move to videolink overnight hearings should significantly reduce the number of detainees in court cells.
- We continue to list only priority work across all magistrates’ courts. Gradually and with all due regard for safety within court buildings we are planning to introduce a widened scope of priority work over the coming weeks. Custody trials and priority bail trials, indictable-only bail hearings, serious youth cases and some sentencing hearings for higher-risk offenders are being considered. We are finalising arrangements for the re-opening of a limited number of courtrooms in our currently open courthouses. We are conscious of footfall and will maintain our vigilance on cleanliness and social distancing into and around our estate. Hearings will only be listed if safe to do so. Wherever possible, video technology will be used to support hearings, although some ‘face to face’ hearings will continue to be necessary.
- In preparation for the above, teleconference pre-trial reviews are being held to ensure any priority trial listed for hearing is robustly case managed. Many of you will already have participated in these remote hearings. We intend to expand this case management project from 4 May to be a daily feature across London – to ensure those cases awaiting justice move closer to resolution at the earliest opportunity. Trials will be single-listed to limit the number of people attending our buildings and the risk of cases being lost of overrunning hearings. Detailed consideration can be given in the pre-trial reviews to opportunities to link parties to proceedings via video.
- We are moving other work to video/audio channels to reduce burden on lists e.g. DVPO, POCA and warrant applications will be heard remotely wherever possible but to ensure open justice is maintained the opportunity to join the hearing at a public court will continue.
- We continue to see improved standards of cleanliness across our buildings following the appointment of our new contractor. We have brigaded available resource into parts of the building most in need of cleaning. We have taken delivery in all courts of good quantities of hand-sanitizer and other washing facilities are regularly inspected. Courts are permitting breaks in proceedings for regular handwashing and parties are encouraged to request a break in proceedings at the appropriate time.
- The mailbox I set up for your queries and questions has been helpful for us to hear your feedback and respond to your questions. I will keep this channel open for the time being so please do continue to raise issues. The mailbox is for queries about

your experience at court as solicitors. Things you would raise with us at ‘Court User’ meetings. **It is not intended as a mailbox to serve applications, enter pleas, seek information about the proceedings.** Please continue to use the standard London mailboxes for those. Please send your queries to [@londonholo](#)

Regards

Stephen McAllister

Head of Legal Operations| London Region |